

REMARKS

This application has been carefully reviewed in light of the Office Action dated May 4, 2005.

The drawings were objected to for failing to show every feature of the invention specified in the claims.

Claims 1, 3 to 4 and 8 were rejected under 35 U.S.C. 102(b) as being anticipated by Wang (6,039,453).

Claims 5 to 7, 9, and 12 to 15 were rejected under 35 U.S.C. 103(a) as being unpatentable over Wang as applied to claims 1 and 10 and further in view of Post (5,727,577).

Claims 2 and 10 to 11 were rejected under 35 U.S.C. 103(a) as being unpatentable over Wang.

The drawings were objected to for failing to show every feature of the invention specified in the claims.

Amendments to the Drawings will be filed under separate cover by the Draftsman.

Claims 1, 3 to 4 and 8 were rejected under 35 U.S.C. 102(b) as being anticipated by Wang (6,039,453).

Independent claim 1 has been amended to more distinctly describe the invention and its elements.

The Wang patent is for a lighted water-filled globe. Simulated botanical items, which glow in the dark (column 3), are completely submerged in the water-filled globe. In an alternate embodiment, optical fibers form the simulated botanical item.

The claimed invention of the present application has at least one flower, or a bouquet of flowers, in a flower display. Flowers are not the simulated botanical items, which glow in the dark, of the Wang patent. Flowers will not survive in a water-filled globe, only simulated botanical items might survive.

The flowers are in an open display in the claimed invention of the present application, not an enclosed water-filled globe.

The Wang patent only claims and describes the optical fibers illuminating a structure or a sphere. The artificial flowers in the Wang patent are described as glow in the dark, or alternately, the flowers are formed from the optical fibers themselves.

The optical fibers are used to illuminate the flowers in the claimed invention of the present application.

The Wang patent further has a music box movement to rotate a filter between the light and the optical fibers.

The optical fibers directly receive light from the light source in the claimed invention of the present application, without an intervening moving filter.

In summary, the present invention claims an open flower display, with optical fibers illuminating the flowers themselves and with the optical fibers directly receiving light from the light source. The Wang patent has an enclosed water-filled globe, with simulated botanical items which glow in the dark, and an intricate music box mechanism to rotate a colored filter between the light and the optical fibers.

Claims 5 to 7, 9, and 12 to 15 were rejected under 35 U.S.C. 103(a) as being unpatentable over Wang as applied to claims 1 and 10 and further in view of Post (5,727,577).

The arguments used with regard to the independent claim 1 made above also apply to the dependent claims.

The Wang patent is for a water-filled globe on a base with artificial glow-in-the-dark flowers submerged in the water-filled globe. A music box mechanism in the base rotates a filter to color the light.

The Post patent is an optical fiber hair ornament without an external light source.

The only connection between the Wang patent and the Post patent is they both have optical fibers. Combining the two inventions would yield a device that is neither practical nor similar to the claimed invention of the present application.

The Post patent attaches the optical fibers to the hair with clips, bands or combs. The sheer weight and size of the water-filled globe and music box mechanism of the Wang patent prevent the globe from being attached to hair by a clip, a band or a comb.

The water-filled globe and music box mechanism of the Wang patent would not fit as a corsage on a woman's dress, would not fit as a boutonniere on the lapel or buttonhole of a man's jacket, and would be awkward and ungainly as a wristlet on a woman's wrist. It is again a question of sheer weight and size of the Wang patent globe and music box.

The claimed invention of the present application claims flowers which are illuminated by light from a light source through optical fibers.

The Post patent does not show flowers. It does not show a light source. It does not show an optical fiber display illuminating flowers.

In summary, combining the inventions of the Wang and Post patents would yield a heavy water-filled globe with a music box mechanism entirely unsuitable for being attached by a comb or clip to hair, to a woman's dress as a corsage, to her wrist as a wristlet or to the label or buttonhole of a man's jacket as a boutonniere, all of which are claimed in the present application.

The Post patent further does not show flowers, a light source, or optical fiber illumination of the flowers, all of which are claimed in the present application.

Claims 2 and 10 to 11 were rejected under 35 U.S.C. 103(a) as being unpatentable over Wang.

Independent claim 10 has been amended to more distinctly describe the invention and its elements.

The arguments used with regard to the independent claim 1 made above also apply to the independent claim 10 and the dependent claims.

The Office Action notes that LEDs are old and well-known in the art.

Wang, a year 2000 patent, only mentions lamps. Wang requires that the light source shine through a body of water and the sides of a glass globe. This will mandate a much stronger light source than an LED.

The LED light source of the claimed invention only shines on flowers in an open flower display. This requires a much less powerful light source.

The Applicant, through the undersigned Attorney, respectfully requests reconsideration of the rejection of the claims in the May 4, 2005 Office Action and allowance of all claims.

If the Examiner deems that a telephone conference would expedite the prosecution of the present application, the Examiner is invited to call the undersigned attorney at (310) 820-9869.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "William Propp".

William Propp, Esq.

Attorney for Applicant

Registration No. 33,604

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8205 Santa Monica Boulevard

PMB1-245

West Hollywood, CA 90046

(310) 820-9869 (phone)